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August 6, 2008

MEMORANDUM ENDORSED
VIA FACSIMILE ONLY

Hon. Gabriel W. Gorenstein
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

USDC SDNY
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Re: Lydian Private Bank d/b/a VirtualBank v. National Settlement Agency, et al.
 United States District Court, Southern District of New York
 Case No. : 07-CJV-8173
 KBR File No. : 209.260

Dear Judge Gorenstein:

This Firm represents Richard A. Less, a defendant in the above-referenced matter. We are writing to follow up on the Revised Scheduling Order dated August 4, 2008. Per my discussion with your law clerk, the Revised Scheduling Order my office faxed to the Court neglected to include the interim pretrial conference (scheduled for September 19, 2008) that was set forth in the original Pre-Trial Scheduling Order dated December 3, 2007. We are requesting that the Court adjourn the interim pretrial conference sine die. Thank you for your consideration.

Very truly yours,

KAUFMAN BORGEEST & RYAN LLP

Jonathan B. Bruno

Granted.

SO ORDERED, UPON CONSIDERATION
 GABRIEL W. GORENSTEIN
 UNITED STATES MAGISTRATE JUDGE

cc: Charles R. Jacob, III, Esq. (via fax only)
 Douglas J. Pick, Esq. (via fax only)

7/6/10